

REMARKS

Claims 1-15, 17-19, 22-24 and 28 are pending. Claims 1, 22, and 28 have been amended. No new matter has been added.

Claims 1-15, 17-19, 22-24 and 28 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2001/0018660 to Sehr (“Sehr”). This rejection is respectfully traversed and reconsideration is requested in view of the amendments and remarks submitted herein.

With regard to claim 1, Sehr does not disclose “authorizing the financial transaction by authenticating the first user and the second user; and providing the authorization of the financial transaction to the second user for confirmation.” On page 7 of the Decision on Appeal, the Board states that “Sehr describes that, as well as traditional debit/credit forms of payment, the visitor cards can be loaded with electronic payment points, underwritten by the event organizer.” Claim 1 has been amended to recite that the first user (e.g., a customer) and a second user (e.g., a merchant) are authenticated to authorize the transaction, and then the authorization is sent to the second user for the second user’s confirmation of the transaction. Exemplary support for this amendment can be found in the originally-filed specification on page 16. Sehr does not disclose that a third party authenticates the admissions center and the visitor, and then sends the authorization to the admissions center for confirmation. Indeed, because Sehr desires to have an automated admissions process, Sehr actually teaches away from such a confirmation. *See, e.g.*, para. [0024] (“This invention relates to an ***automated*** admission system and methods for facilitating via a portable visitor card device a plurality of services...”) (emphasis added).

With regard to claim 22, Sehr does not disclose “storing the payment information from the programmable memory device in a memory portion of the merchant’s terminal for future processing of the financial transaction along with at least one other financial transaction.” On page 8 of the Decision on Appeal, the Board states that “Sehr describes that the vendor/merchant system includes a database scheme, which stores payment information related to transactions performed between the vendor and visitors.” Claim 22 has been amended to recite that payment information is stored in the memory portion of the terminal for future processing of the financial transaction along with at least one

other financial transaction. Exemplary support for this amendment can be found in the originally-filed specification on page 18. Sehr does not disclose that multiple financial transactions are stored and processed together. Also, Sehr does not disclose that a merchant stores the financial transactions in the merchant's terminal for later processing. Instead, Sehr processes each transaction from a terminal and fails to disclose the merchant storing the financial transaction information for processing at a later time with other financial transactions.

With regard to claim 28, Sehr does not disclose "a programmable memory device issued to a merchant for storing information related to a plurality of financial transactions from a plurality of customers, wherein the programmable memory device is connectable to a network for processing the plurality of financial transactions." On pages 8-9 of the Decision on Appeal, the Board recites that "nothing in claim 28 ... requires that the programmable memory device issued to a second user be Sehr's visitor card or the same type (i.e., visitor card) as the recited programmable memory device issued to the first user... The Appellants do not argue that the vendor/merchant system with the database scheme does not anticipate this limitation." Claim 28 has been amended herein to recite that the programmable memory device is issued to a merchant and that the merchant uses the programmable memory device to store a plurality of transactions for later processing over a network. Claim 28 also recites that the programmable memory device is a smart card or a terminal. Exemplary support for these amendments can be found in the originally-filed specification on page 18. Sehr does not disclose these features.

Therefore, Sehr fails to disclose each and every element of claims 1, 22, and 28, which are believed to be allowable. Because claims 1, 22, and 28 are believed to be allowable, claims 2-15, 17-19, 23, and 24 are also believed to be allowable. Therefore, it is respectfully requested that this rejection be withdrawn.

CONCLUSION

The undersigned representative respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution might be advanced by discussing the application with the undersigned representative, in person or over the telephone, we welcome the opportunity to do so. In addition, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account 50-4402.

Respectfully submitted,

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